

**PARKS AND CULTURAL AFFAIRS COMMITTEE  
OF THE  
SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Parks and Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Wednesday, **March 23, 2005**.

**MEMBERS PRESENT:**

Leg. Jay H. Schneiderman, Chairman  
Leg. Lynne C. Nowick, Vice•Chairman  
Leg. Cameron Alden  
Leg. Angie Carpenter  
Leg. Jon Cooper  
Leg. William J. Lindsay

**ALSO IN ATTENDANCE:**

Mea Knapp, Counsel to the Legislature  
Alexandra Sullivan, Chief Deputy Clerk  
Ronald Foley, Chief Deputy Commissioner of Parks  
Charles Bender, Aide to PO's Office  
Ben Zwirn, Assistant Deputy County Executive  
Frank Tassone, Aide to Majority Leader  
Amy Duryea, Aide to Leg. Schneiderman  
Eric Brown, Aide to Leg. Schneiderman  
Greg Moran, Aide to PO's Office  
Lance Reinheimer, Assistant Director, Budget Review Office  
Dara Ericksen  
Amanda Setzer  
Jennifer Setzer  
Margaret A. Moylan  
Sandra Pasieka

Cheryl A. Felice, AME

Lillian Barbash, Executive Director, Islip Arts Council

Robert W. Dow, Jr., Commissioner, Department of Labor

Pete Crisano, Grant Development Program Compliance Director

Jackie Caputi, County Attorney's Office

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

**(THE MEETING CONVENED AT 11:46 AM)**

**CHAIRMAN SCHNEIDERMAN:**

Okay. I'd like to call the meeting of the Parks and Cultural Affairs Committee to order. If you all will rise and join us for the Pledge of Allegiance led by Legislator Lindsay.

**(SALUTATION)**

**CHAIRMAN SCHNEIDERMAN:**

Do we have yellow cards? We're going to try to get through our meeting as quickly as possible. I may have to leave before it's over and turn things over to our Vice•Chair, Legislator Nowick. Okay. Our first card is Dara Ericksen speaking on Southaven Stables. Dara, if you'll come forward and •• do you want to do the agenda first? No. It won't affect the agenda. Dara, if you'll step over to the podium. Actually, this may not be on •• Southaven Stables isn't before us today. Okay. It looks like most of the cards are on Southaven Stables. Dara, I'm going to ask you actually if you can hold off for a little while. I think I'm going to move the public portion, at least those that don't pertain to things on the legislative agenda. And we'll push it back just a little bit. We'll get to you as soon as possible only because the last meeting ran late and I have to leave. And I want to be able to go through the agenda items while I'm still here if you don't mind. Thank you.

So, the only card I have that's on a resolution is Cheryl Felice speaking on 1185. Ms. Felice,

are you present? If you'll step forward. Cheryl, you have the floor.

**MS. FELICE:**

Are you ready? Thank you. Good morning, Chairman Schneiderman and Vice•Chair Carpenter and members of the Committee. We're here today •• my name is Cheryl Felice and I represent AME as many of you •• most of you know. And we're here today to speak in support of resolution 1185. We speak in support of 1185 because of the fact that our members through no fault of their own in the Labor Department are facing devastating lay•offs due to the budgetary cuts that are coming out of Washington and out of Albany.

We have a resolution before us that we feel does meet the qualifications for its funding method through 477. Its sponsors, Legislator Lindsay and Tonna at the request of County Executive, we feel, have come up with a reasonable solution to address the shortfall and a viable solution to an already enhanced system within the Parks Department in preserving water quality.

So, we're here today. We left you a detailed response to our support. And we're here today to just reiterate that support to you and answer any questions that you may have for us.

**CHAIRMAN SCHNEIDERMAN:**

Questions for Ms. Felice? Okay. Legislator Alden, do you have a question?

**LEG. ALDEN:**

Hi, Cheryl.

**MS. FELICE:**

Good morning.

**LEG. ALDEN:**

This resolution specifically takes money that's not really off budget but kind of not really specific to salaries and creates positions and then pays for the salaries out of those. There are •• I believe there's still 718 or in the 720 range unfilled positions that are in our budget already. Do you support looking at any of those? Because some of those jobs when I looked at them seem to line up with some of the jobs that we might be losing over in the Department of Labor.

**MS. FELICE:**

It's my understanding that the Department of Labor did already canvas its members to look for areas in which they could transfer. This particular program that is in the Parks Department is already there, needs enhancement. And this resolution would provide that enhancement for this particular resolution.

As far as the rest of our budgeted positions, you know that this union has been before the Legislature a number of times over the issue of vacant positions. We sat through Budget and Finance yesterday to hear that over 300 SCIN forms are sitting on the County Executive's desk.

**LEG. ALDEN:**

Or in never•never land.

**MS. FELICE:**

Okay. The testimony that was given is that that's where they're sitting. So, this membership is not interested in getting in the middle of a battle between the legislative branch and the executive branch over the positions. We're aware there's vacant positions right now. We know that there's 300 SCIN forms ready to be signed and we have told both branches of government •• both branches of government on a number of occasions that this membership is doing more with less and they can't do it anymore. So, we're here to support the resolution before you in its entirety based on it's justification. The debate over the vacant positions and looking into more vacant positions is a matter that must be addressed by the two branches of government and only by those two branches of government.

**LEG. ALDEN:**

Here's the philosophical ••

**CHAIRMAN SCHNEIDERMAN:**

We have, I think, an internal rule that we don't question people in this ••

**LEG. ALDEN:**

There's no internal rule in Committee. Committee is give and take on the public portion.

**CHAIRMAN SCHNEIDERMAN:**

Yes? Okay.

**LEG. ALDEN:**

That's at our general session.

**CHAIRMAN SCHNEIDERMAN:**

I stand corrected. You may continue.

**LEG. ALDEN:**

The 477 just philosophically was designed for bricks and mortar type of ••

**MS. FELICE:**

To preserve water quality as we read the original resolution.

**LEG. ALDEN:**

•• programs.

**MS. FELICE:**

And we believe that the stewardship program, the environmental stewardship program that is contained within 1185 supports that.

**LEG. ALDEN:**

Well, originally, though, when that was crafted and actually drafted, it didn't really anticipate any type of salaries coming out of that. It was a bricks and mortar type of proposition to preserve the quality of water.

**MS. FELICE:**

Actually, I believe last year's budget did allow for salaries out of 477. In the 2005 budget that was approved.

**LEG. ALDEN:**

I know. I'm talking about when it was originally drafted because basically I drafted that resolution that provided •• and that's only one of three or four different things that we use the money for that comes in on that. But originally what it was intended for was for bricks and

mortar type of projects; not to augment or to basically go around our salary plan and our salary positions and things like that.

**MS. FELICE:**

Then I would ask the question back of the Legislature, why were the budgets approved in the •• why were the positions approved for salary in the budget process with 477? That's the question I would answer back. This Legislature already set that precedent in establishing salaries out of 477 in the 2005 budget. This merely enhances upon that.

**LEG. ALDEN:**

Right. And there's the problem with it. We do have points of pollution. And that's what the 477 was established for. So, the points of pollution now •• and this is the balancing act we're going to have to do. We're going to have to look at this very seriously, every Legislator, and say we're not going to be able to address a point of pollution because we don't have the money to do that because now we've added more salaries to it. And if all the resolutions go through that actually provide for salary positions, we can never do another brick and mortar project in Suffolk County.

**MS. FELICE:**

I actually don't agree with you, Legislator Alden.

**LEG. ALDEN:**

Well, how much money is coming in according to the sources that you saw?

**MS. FELICE:**

Well, what I believe this resolution does, is it provides a long term effect. We've already had enough attacks on the General Fund. You know that that's where AME money comes out of solely. The police district has its own funding method. We solely rely on that General Fund. And any more attack on that is going to minimize the work that this membership can do.

**LEG. ALDEN:**

Well, it's not an attack on the fund. Basically, the positions •• and there's money put aside for 720 vacant positions. So, there's a little bit of a disagreement as far as between the Legislature and the County Executive. As a matter of fact, there's a big disagreement as far as taking and

giving relief to our work force. But the 477 funds, there's a backlog right now. So, that will provide us with a little bit of a cushion. All those funds are spent. And now when we go ahead with a couple of these where they actually add positions and we're going to add funding going forward, we're spending now for the future any money that comes in under water quality protection. You can't do any more projects once a couple of these resolutions •• one or two more of these have passed, there are no more 477 brick and mortar type of projects that we can do in the future forever.

**MS. FELICE:**

This resolution addresses the over 50,000 acres of parkland that the County •• the County parks system does already oversee. And what this resolution does, is it takes those titles that are already doing similar work in the stewardship program in the Parks Department and merely enhances upon that •• on that program because, I think, we all agree that water quality in Suffolk County has to start at home. And it has to start with the County. The program is there. It's already established. It needs it be enhanced upon. And that's where AME stands.

**LEG. ALDEN:**

I still can't •• I just still can't understand why we only use budgeted money for salaries for salaries. And we're going to intrude upon •• not even intrude upon, we're just doing away with the 477 Water Quality Protection Act basically.

**MS. FELICE:**

I know •• I know the Department of Labor has a presentation for you as well. So, perhaps a lot of those questions could be answered. But in our opinion, and in AME's opinion on behalf of the members to protect them from lay•offs, we believe this is a program that is already established. It's well established. And it needs to be enhanced. And that's where we stand.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Lindsay?

**LEG. LINDSAY:**

Yeah. I don't mean to put Cheryl in the middle of this but it's a matter of perspective with this whole issue. And, you know, really what I have to say, I'd really like you to comment on it. This vision of not using 477 money for salaries, I think, is faulty because when we take that view, what we're saying is we're only going to use this money to contract services out rather

than to look at our own work force. And if we're faced with laying off County employees, I would much prefer to cut back on contracted services and keep our County work force intact even if it's moving them out of departments; do whatever we have to do to protect the people that are our employees. They've done a wonderful job. They haven't done anything to deserve to be laid off. It's a matter of a cut back in federal and State aid.

And in all due respect, I disagree with Legislator Alden in •• I'm looking at the Budget Review analysis, which shows, you know, we'd be using about 15.8% over the next five years if these resolutions were approved for salaries. And a lot of the programs that absolutely fall under water quality, and I'll give you an example, it isn't in Parks, but last year myself and Legislator Bishop in this Legislature passed a resolution for storm water filtrations systems all along the south shore that empty into our bays. And that project hasn't gone forward because we don't have the personnel to maintain those catch basins after the system is installed. And I think that served •• a perfectly and appropriate thing to use 477 money for.

**MS. FELICE:**

Well, I will say, Legislator Lindsay, the fact that the County Executive in his 2005 budget did propose for segments within the Parks Department a reverse privatization as you speak of •• this again does enhance upon that theory as well, which this Legislature also supported. You're absolutely right that we need to do more contracting in. Our members can do it well. They've done it well. And they need to be given the opportunity to continue doing it well for the residents of Suffolk County.

**LEG. ALDEN:**

Through the Chair.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Alden.

**LEG. ALDEN:**

Just in response to a couple of comments that Legislator Lindsay made. Yes, I believe that we should do everything to protect our work force. And they're being stretched. Part of that is because of the early retirement that they had a couple of years ago where some people were left to do the jobs of many. And I realize their plight. And I've been very, very supportive of



eliminating that. But I can't understand why if within our budget we have salary positions and there's almost \$19 million worth of salary positions in our budget that are unfilled, why we're not going to use that money that is already for salary to go ahead and get these people working, whether it's in a different position in Suffolk County government, whether it's the same position basically that they're doing over in the Department of Labor, why aren't we using the money that we told the people of Suffolk County that we were going to use to fill positions. That, I just don't understand.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Ms. Felice.

**MS. FELICE:**

Is that it? Thank you.

**CHAIRMAN SCHNEIDERMAN:**

There's one other card that I believe is going to be on one of our agenda items, so Lillian Barbash.

**MS. BARBASH:**

Good morning. My name is Lillian Barbash. I'm the Executive Director of the Islip Arts Council. I live at 30 Bayway Avenue in Brightwaters; have lived there for 50 years. I'm here to invite the entire County Legislature to our 28th annual free New York Philharmonic concert at Heckscher State Park. The Legislature and the Cultural Affairs Office has been supportive of this concert for the last 27 years. And we're hoping that once again you will be supportive of this year's.

The funding for the concert comes from a variety of sources. It's a perfect partnership of individual, corporate and foundation and public support. The date is Saturday, July 16. It'll be a beautiful day. It's a perfect, perfect place to bring the family. People of all ages and all ethnicity's attend. Last year over 50,000 people attended. Some of you were there. I believe Legislator Alden was there. And Legislator Carpenter was there as well as probably some other Legislators that I don't recognize.

So, I want to invite you all to come and to continue supporting the wonderful cultural activities that are supported by the Legislature. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. Okay, I'm going to have to give myself an excused absence from the rest of this meeting. I will turn things over to Vice•Chair Nowick. We have several other cards speaking on Southaven Stables. Also, Ms. Nowick, I wanted to point out that Jackie Caputi from the County Attorney's Office has asked to speak on 1185. And also on 1337, Dr. Moran is here who's a •• is potential poet laureate for Suffolk County. And with that, I will turn things over to you. We have no presentations, but we have a request from Jackie Caputi from the County Attorney's Office on 1185 and this individual Dr. Moran is here.

**VICE•CHAIRPERSON NOWICK:**

Okay. We're going to bring up speakers for our public portion. Dara Ericksen.

**MS. ERICKSEN:**

Good afternoon. My name is Dara Ericksen. I live at 21 Harford Drive, Coram, New York 11727. I am here on behalf of the horse community and we the people. It's been brought to my attention a week and a half ago that there were RFP's that went out on Southaven Equestrian Center. I was one of the bidders. And we were rejected at the last minute and have been told the facility is going to be closed. Horses have been around and have served us well for many, many years. And it's a big problem on the Island. It's getting less and less facilities for us to board at. A lot of private owners are selling out to developers. And it is becoming a major issue on the Island. Backyards are limited. And actually horse owners and horse facilities do generate a lot of business on the Island. We are here also to keep the doors open at Southaven because we all feel that once it is closed, it won't open again.

And a few things that we don't understand is that Smoke Run was sold for millions and the County bought the development rights to it. And we would also like a bill passed that other states have put into effect about the lawsuits where the barn owners and the County facilities are protected from these frivolous lawsuits to protect the County facilities also. The Parks Department is saying a lot of things that we don't, you know, us bidders didn't have enough experience or not money, stability. We take that as an insult. And one of the bidders is operating a County facility right now and has been since she was 17 years old. And another bidder has been in the business for 11 years. I've been in the business since I was a kid with horses. Presently not. And what is going to stop the Parks Department from closing the rest of

our County facilities as they come up for bid?

And, also, I would like to be given options and not just shut the doors. If they were not happy with any of the bidders, maybe somehow we could come up with a solution to this problem before April 1st. They're going to shut the doors April 1st. And I and we the people and the horse community are going to do everything we can to rally for keep these doors open. And it's a tragedy to the horse community that this is happening and that a lot of people are going off the Island to find another place to live. We know that there's a land issue with developers also.

**VICE•CHAIRPERSON NOWICK:**

Your time is up. Thank you.

**MS. ERICKSEN:**

Oh, okay. One last thing. Four•hundred and fifty thousand dollars was granted to the skeet shoot to open up over at the park; but none, however, has been given to the horse facility. Instead they decided to close it. Thank you for hearing me.

**VICE•CHAIRPERSON NOWICK:**

Amanda Setzer.

**MS. SETZER:**

Hi. My name is Amanda Setzer. I live at 2 Swanview Court in Patchogue, New York 11772. My mother was a breast cancer survivor. And while she was undergoing her chemotherapy and radiation, I found the stables at Southaven Park, where I made friends. I learned about the horse community. I took riding lessons. And I also helped out with a handicapped program. There are countless other children who would benefit from the stables if it remained opened.

A half a million dollars was secured to reopen the trap and skeet range. Now, I know we had petitioned and we went around the neighborhoods. And I know a lot of the families who lived around there were very upset that the trap and skeet range was open •• was going to be reopened. And they were also very upset that the stables were going to be closed.

Now, I know I'd rather practice my riding skills, take my horses trail riding than practice my shooting skills. And a lot of other people feel like that way too. But it doesn't make sense why

they're closing down the stables and •• which is •• that's the last really good place we have for the children to go to. And it's the last indoor riding facility we really have on Long Island that's open to the public all year round. I really don't have much more to say but ••

**VICE•CHAIRPERSON NOWICK:**

Well, I think you did an excellent job and we thank you very much. It's very difficult to come here and speak but you have. And thank you. We appreciate your words.

**MS. SETZER:**

Thank you very much.

**VICE•CHAIRPERSON NOWICK:**

Jennifer Setzer. Did we just do that? No. We did Amanda.

**MS. SETZER:**

Hi.

**VICE•CHAIRPERSON NOWICK:**

Hi.

**MS. SETZER:**

My name is Jennifer Setzer. I live at 2 Swanview Court in Patchogue. I'm speaking on behalf of the Kerin's family and Manny Termini, one of the bidders of the RFP for Southaven Stables. The Kerin's family is out of state today, but asked me to speak for them. The Kerin's family has lived in Suffolk County their entire lives. Their father is a Suffolk County judge. And the Kerin's run a successful business in Suffolk County with a gross income of about four and a half million dollars a year. They have given the Parks Department a letter of credit guarantee for \$303,000 to be broken down •• 93,000 in the first nine months in renovations, 69,000 in year two; and in year three, four and five they have guaranteed 49,000 in renovations.

In addition, 70% of annual retained earnings will go back into renovating or expanding the current facility. If the stable nets a \$100,000 profit, \$70,000 will go back into the facility in addition to what has already been guaranteed as well as the rent that is being paid for the facility. This is a win/win situation. Everyone benefits from this. Most of all the entire

community and the Suffolk County Department of Parks.

Oakwood Farms runs an already successful and profitable establishment in Medford that would be moved over to Southaven. Mr. Termini has had horses his entire life and has many successful businesses including a hack barn Upstate. He is more than qualified to run this business. Should you award them the contract, they will secure a bank check in the amount of \$93,000 dollars for the County to hold in escrow for the work that they will begin immediately. They will also provide additional financial records at your request. I can guarantee they are financially rock solid.

Should the structural integrity of the facility be in question, they will order an engineers report at their at expense to be done. However, it is their belief the building is structurally sound. This facility means a great deal to them. They will not disappoint the community, Suffolk County or themselves. And I do have an appraisal on property that they already own worth over \$14 million. So, the fact that the Parks Commissioner said that there was no financial strength to me is, you know, has been disputed.

**VICE•CHAIRPERSON NOWICK:**

Your time is up and I thank you very much for coming down here. Margaret Moylan. Hello, Margaret.

**MS. MOYLAN:**

Hello. How are you? I'm going to speak on behalf of the public. The public needs this facility. My nephew began there at eight years old 4•H programs, etcetera, learned about horses, keeping him off the streets, somewhere he could go, keep him out of trouble. Also, I can't understand why the County can find \$20,000 to put into St. James General Store to paint it. That's an historic landmark. I'm sure there are historians around that will do that.

Also, the trails in there are beautiful. And also I'd like to know what those survey flags are lining the road going into Southaven Stables. You know, that's my main question.

**VICE•CHAIRPERSON NOWICK:**

Does anybody know what those are? The Parks Commissioner might know. I can't hear you.

**COMMISSIONER FOLEY:**

I believe they have something to do with the water line project we ran in there recently.

**VICE•CHAIRPERSON NOWICK:**

Okay.

**COMMISSIONER FOLEY:**

Other than that, I'm not sure.

**VICE•CHAIRPERSON NOWICK:**

Thank you. You can stay there if you want. Thank you very much.

**MS. MOYLAN:**

Okay. Thank you.

**VICE•CHAIRPERSON NOWICK:**

Sandra Pasieka.

**MS. PASIEKA:**

Hi. My name is Sandra Pasieka. I reside at 3102 Kane Avenue, Medford, New York. I'm here on behalf of the horse community. And we had 635 signatures opposing the closing of this facility because it is going to hurt Brookhaven Town's revenue in the fact that people from out of state, out of the country, if they come to the Town of Brookhaven, they come there to see what we have to offer. And if you go on the website that promotes Brookhaven Town, that's the first thing you see. There's trail riding there. They give riding lessons. It's a •• and the building itself's only 12 years old. So, they're saying that it's deteriorated, I have a problem with that because, I mean, in 12 years not enough damage will be done to call it deteriorated.

And I just want somebody to listen because I have children. And I'm doing this for my kids. I mean, I'm like upset just even talking about this. How do I explain it to my kids that they're taking away something that •• I grew up in that park. All my teenage years were spent there with riding the •• kept me out of so much trouble. I took out trail rides. I did everything in the old Southaven that was there. And I don't think it's fair that they're taking away our only public riding facility where you can go and rent a trail horse and go out for an hour and you don't have to have the expense of owning a horse. And I just •• I don't feel that it's right. And I wish

somebody would listen to us and stop this from happening. At least •• even if •• look at the •• you don't want to use the bidders that you have, at least give somebody •• give the community a chance to come together and do whatever it takes to keep that building up and running and not to shut those doors April 1st. If they close those doors April 1st, it's over. They will never reopen that building again. And we need it. We need the indoor arena and we need those stables for our 70 horses. That's a home for 70 horses. We're running out of room. That's the only point I wanted to make. Thank you.

**VICE•CHAIRPERSON NOWICK:**

Thank you. Just a quick question. If that happens April 1st, what happens to those 70 horses? Where do they go? Do they stay there?

**MS. PASIEKA:**

No. They have to get out March 31st.

**VICE•CHAIRPERSON NOWICK:**

Who owns those horses?

**MS. PASIEKA:**

Right now boarder •• there's boarders there. It's just a whole bunch of people that board there on one side and then ••

**VICE•CHAIRPERSON NOWICK:**

So, those people take their horses out and have to find another spot?

**MS. PASIEKA:**

They have to find another spot to put them.

**VICE•CHAIRPERSON NOWICK:**

Okay. Thank you.

**MS. PASIEKA:**

Thank you.

**VICE•CHAIRPERSON NOWICK:**

Okay. I do not have any other cards. Does anybody else want to address the Committee? If not •• yes, would you like to come up?

**COMMISSIONER DOW:**

We wanted to make sure •• Commissioner Dow, Department of Labor. Vice•Chairman, we'd like to speak on behalf of the 1185 bill or actually give some detail about why we think the passage is necessary and to allow you to question our Department on some of the funding problems that have happened to us because of the federal funding; and also we have additional people here that could give light or information regarding that 1185 bill.

**VICE•CHAIRPERSON NOWICK:**

Okay. I also see that somebody from the County Attorney's Office wants to come up and speak on this bill as well.

**MS. CAPUTI:**

I'll wait until the ••

**VICE•CHAIRPERSON NOWICK:**

Okay.

**MR. ZWIRN:**

I'll wait until you get to the agenda.

**VICE•CHAIRPERSON NOWICK:**

Okay. That's fine. You don't have a long wait. Okay. So, tabled prime resolutions. **2342, amending the adopted 2005 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2005 Capital Budget Program and appropriating funds in connection with parking lot improvements at Meschutt County Park.** Do I have a motion?

**LEG. LINDSAY:**

Motion.

**VICE•CHAIRPERSON NOWICK:**



Motion by Legislator Lindsay. Second? Was this approved by the 477 ••

**COMMISSIONER FOLEY:**

Yes, it was.

**VICE • CHAIRPERSON NOWICK:**

It is?

**COMMISSIONER FOLEY:**

Yes.

**VICE • CHAIRPERSON NOWICK:**

It has been?

**COMMISSIONER FOLEY:**

Yes.

**VICE • CHAIRPERSON NOWICK:**

Okay. This has been approved.

**LEG. CARPENTER:**

Second.

**VICE • CHAIRPERSON NOWICK:**

Second by Legislator Carpenter. All in favor? Opposed?

**LEG. ALDEN:**

Abstain.

**VICE • CHAIRPERSON NOWICK:**

Legislator Alden has abstained. 2342 has been approved.

**LEG. ALDEN:**

Excuse me. Point of order.

**VICE•CHAIRPERSON NOWICK:**

Yes, Legislator Alden.

**LEG. ALDEN:**

How many people are on this Committee?

**MS. SULLIVAN:**

Six.

**LEG. ALDEN:**

You can't approve it with three votes.

**VICE•CHAIRPERSON NOWICK:**

Oh, okay.

**LEG. CARPENTER:**

Motion to table.

**VICE•CHAIRPERSON NOWICK:**

Motion to table by Legislator Carpenter. Motion to table by Legislator Carpenter, second by myself. All in favor? Opposed? The tabling motion has been approved. **(Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1142, authorizing Use of Blydenburgh•Weld House at Blydenburgh County Park by Suffolk County Archeological Association.** Motion by Legislator Carpenter, second by myself. All in favor? **1142 has been approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**LEG. ALDEN:**

Just on the motion?

**VICE•CHAIRPERSON NOWICK:**

Sure.

**LEG. ALDEN:**

Does this require the list of people that are in the Archeological Society, their names, addresses and phone numbers? Because this •• and the reason why I bring that up, there's a number of resolutions today that would allow use of the County facilities but requiring name, address and phone numbers of the participants. Seems a little strange to me but ••

**MS. KNAPP:**

No, it does not.

**LEG. ALDEN:**

Okay. Thank you.

**MS. KNAPP:**

It's not in the resolution.

**VICE•CHAIRPERSON NOWICK:**

Okay. **1142 has been approved.**

Introductory Prime resolutions. **1185•05 (amending the 2005 Operating Budget to take proactive steps necessary to mitigate the trickle•down effect of federal reductions to Workforce Investment Act Program and implementing smart government principles to perform necessary County functions)** I believe we have several people that would like to come up and talk to the Committee about this. Maybe if you would like to sit up here together. Mr. Dow, do you want to start?

**COMMISSIONER DOW:**

Yes. Good afternoon, Honorable Legislators and good afternoon, Vice•Chairman Nowick. I'm here •• my name is Robert W. Dow, Jr. I'm the Commissioner of Labor for Suffolk County Department of Labor. And I'm here to provide information on the •• and stressing importance of the passage of resolution 1185.

If I may for one brief moment give a brief overview of the Department of Labor. It was created in 1963 to resolve labor dispute through mediation as a neutral party and to provide labor

statistics. Today's Labor Department continues to resolve labor disputes and provide labor statistics along with it, administering the Suffolk County PERB Board, operates a one stop center right across the street in Hauppauge, providing employment and training programs for the residents of Suffolk County.

And we also operate the SCWEP program, which is Suffolk County Works Employment Program through a contract with DSS, Department of Social Services, that helps move residents off of public assistance and into self-sufficiency along with administering the living wage law.

A recent study, we had a cost benefit analysis that shows for each dollar spent through the Department of Labor, there was a return to the County of \$6.79. And lastly we have •• Suffolk County Department of Labor has approximately 230 hardworking employees. And our budget of 2005 was approximately \$20 million of which 85% is non-county funding that's derived from either the State or the federal government.

To just give a brief opportunity for Pete Crisano, our Grant Development Program Compliance Director, to give the Committee a overview on how the funding and what the funding discrepancies are. Pete, if you would.

**LEG. ALDEN:**

I have a quick question before you continue, through the Chair. Is this going to differ from the information that you gave us at a previous Committee meeting?

**MR. CRISANO:**

Not substantially.

**LEG. ALDEN:**

Okay. Thanks. Could you highlight any changes that you're going to give us?

**MR. CRISANO:**

Yes. Good afternoon, everyone. Again, Peter Crisano, Director of Program Compliance. The events that have brought us here certainly events beyond our control, we are faced with federal reductions in Work Force Investment Act funds. Also, we are faced with a diversion of state funds that normally would come down to Suffolk County for Service to residents. And on top of

that, excess TANF funds which normally came down here to provide services to people on public assistance are being diverted to fund other programs such as earned income tax credit and in certain cases educational programs.

The problem that we're faced with is that there is no way to make up this funding. And the people who are working for the Department now cannot be and will not be funded beyond the period of time that our current funding allows. And unfortunately we cannot go anywhere else but here to this body to find a solution to this problem. And I think one of the things I'd like to address is a difference to Legislator Alden's concerns about the use of 477 funds. One of the reasons we made the connection between the crew chiefs that are being transferred and the 477 fund is because for maybe 30 years we have been doing environmental programs in this County.

The ten towns, the County, the State, everyone who has any interest in environmental conservation will know the name of the Youth Conservation Corp. When we laid that huge football size liner at the Brookhaven landfill, well, it was YCC guys under the direction of these crew chiefs that held that liner while it was being put down.

We've worked in the Islip shellfish hatchery. Those were people working under the direction of these types of crew chiefs. We've done numerous miles •• many, many miles for stream cleaning, trail maintenance. We've created trails for people to hike on. We've maintained them throughout the years, again, under the supervision of these crew chiefs. We've worked on recharge basins in every neighborhood. We've worked alongside the Army Corp of Engineers to develop programs to protect our drinking water, to help clean up the pollution that's causing many problems within our estuaries and in the Sound.

So, the connection between the crew chiefs and the 477 fund was obvious to us. Again, this is not a legal opinion. It is simply a programatic review of what that fund was set to do, what we've been doing for many years, and what the County has gotten benefit out of without really investing a lot of dollars in. That money is being dried up. So, the logical connection between these crew chiefs and the 477 fund, I think, we can make that.

Also, there are some other issues out there with the •• supporting these crews with people who work on public assistance. Many of our crew chiefs run crews that are •• that use people who are on public assistance in welfare programs. They're getting the public assistance grant. They

work it off creating a benefit to the County. That would continue. So, funds that are used from the 477 fund would be •• will leverage public assistance funds. We will also have youth participants to add more hands, more labor to do the jobs that need to be done under the 477 fund.

And the issue of, you know, are there other positions in the County? Well, again, there may. But the connection to this type of project with these type of people, I think, is •• it's obvious to us. And we would ask that you support that, the use of these funds to put these people in. Yes, bricks and mortar are fine. But it takes somebody to mix the mortar and somebody to stack the bricks. And we think it should be these people rather than have them lose their jobs. Because if this resolution does not pass, and these are 20 positions we're talking about, if it comes down to a budgetary issue, we may have to let go of 40 to 45 people just to make up those same kind of savings down the road.

**LEG. ALDEN:**

Through the Chair.

**MR. CRISANO:**

Yes.

**LEG. ALDEN:**

Let's divide this into two things because that's what I'm seeing here. We have a problem. And we have people that might end up laid off.

**MR. CRISANO:**

Correct.

**LEG. ALDEN:**

We don't want that to happen. We have another problem. We have 477 funds that are supposed to be •• to protect the drinking water in Suffolk County. That's a finite number of dollars. That fund traditionally didn't have •• and I can speak for the drafter because I am the drafter •• I didn't have that in mind to go and take the burden off of the •• our operating budget in salaries. So, we haven't traditionally done that. Now, we're talking about protecting people's jobs and their lives. I'm 100% for that.

As a matter of fact, I think, there's another Legislator that's going to put in a •• or if he hasn't already •• putting in a •• it's not a competing resolution, but it solves the problem and saves those jobs in a different manner. Now, we've told the people when we adopted the budget that here's X number of jobs that we've authorized and here's X number of dollars that we've authorized. There's dollars in the budget that aren't being used to pay people's salaries because the jobs are not filled. Now why •• and I'm kind of really losing it on this one, why aren't we looking at the dollars in the budget that we've told the people of Suffolk County we're going to use to pay people's salaries? Why are we so resistant to looking at those dollars to try to fund these jobs? If these •• and I don't doubt that these jobs aren't, you know, they're very, very useful. They actually •• they could protect the water in Suffolk County. That might be what they end up doing; but traditionally we haven't funded them that way. We funded them through salary plans that we've told the people about when we adopt the budget.

And I know that the argument's being made that there's an expansion of the salary plan. But I don't understand why we can't be honest to the people and say that there's 720 jobs unfilled. Even if we have to change a couple of those job titles to make a match to the people that are going to be displaced now. I don't mind that. I have no problem with that because I've already told the people in Suffolk County, here's how much money I set aside to pay salaries. And here are some people that are hurting. And the families are going to hurt. And people in Suffolk County are going to hurt if they lose their jobs.

Why aren't we looking at more of a press on, using the money that we already told the people in Suffolk County we're going to use. And we have a lot more of that than we do of 477 money because what happens is, and I mentioned it before when Cheryl Felice was up here, and Cheryl is primarily •• and I hope •• I'm not putting words in your mouth •• but Cheryl is rightfully so looking to protect the people that could possibly lose a job over this through no fault of their own. No fault of Suffolk County's. And I believe that she should be an advocate for it.

But I can't understand now why the administration wouldn't just say, you know what, you're right, Alden. Let's look at the fact that we have all this money in salary accounts. And let's see what matches up. If we have exact matches, we'll transfer. We'll fill those jobs, save those people and their families. And what doesn't match up, the Legislature, those couple of positions, we could pass a resolution to change the positions. And then we could fill those positions with the folks that are going to be displaced. And we save all that heartbreak. We

save all the •• and I think we save something else. We save a raid on the 477 account. That money's still there to do the projects that a lot of us have actually resolutions in.

I know Legislator Schneiderman who had to go to a press conference, he's got three our four resolutions on his district. And here's what happens. Those resolutions aren't just, you know, like you're going to put a little thing in on the side of the road, a drain or something like that. That's taking carcinogens a lot of times out of water that ends up in the water supply or ends up in somebody's backyard or ends up in the Great South Bay where our kids and our family swim. And maybe even some clammers go out there and dig clams and try to make a living. So, the 477 account was designed to protect and save lives.

The payroll account is designed to actually pay people in Suffolk County. And when you have an excess in the payroll account, and you've got a crisis where people are going to lose their job, to me, the very logic of it says put those people on the payroll. Fill the positions that are empty right now. That seems like the fastest, the safest, the easiest way to a whole solution to this whole problem. And then we don't have the heartbreak of somebody getting fired and going home and telling their family, you know, we're not going to eat anymore. We don't have that heartbreak. And we can still do the other side of it where we're going to take the pollutants out of the water before they get to the water supply. So, the little kid that goes out and plays in the stream, they're not subjected to all these carcinogens. And we'll still have money for it. So, that would be my comment. I would hope that you would keep an open mind to the solution of this because this is a very serious problem. And I hope we can go forward and maybe work •• like I said, there's a Legislator putting in •• I don't know if he has put it in already, but he was drafting a •• it's a different twist on 1185, but it would preserve the jobs immediately.

**MR. CRISANO:**

Based on •• I will defer to the County Exec's representative on the issue of who is the ••

**LEG. ALDEN:**

Well, I'm glad that you're coming from the Labor Department. So, if you can continue, and I'm sorry I interrupted your presentation •• but if you would continue and tell us what the time frames are and constraints as far as •• I know that you did that one other time, but if you could continue and just do it that way for us, I think, it would give us a better understanding.



**MR. ZWIRN:**

If I might?

**VICE•CHAIRPERSON NOWICK:**

Certainly, Ben. Go right ahead.

**MR. ZWIRN:**

Just to respond to some of the questions that Legislator Alden raised. First of all, there are people who are being paid out of the 477 account right now.

**LEG. ALDEN:**

Don't make it right.

**MR. ZWIRN:**

I'm just saying this is not precedent setting. And they would be doing things that are in the environmental fields to preserve water quality. As Legislator Lindsay pointed out, one of the items that was passed by the Legislature was this rocks in the box program. We don't have the personnel to change the filters. We would be able to use this money. Somebody's going to have to do it. Either you have to pay outside people to do it and contract with them; or use people in the County who otherwise would lose their jobs to do that. The reason we've looked at the 477 account is the General Fund, first of all, doesn't have any money that's sitting out there. We have turnover savings that have to be taken into account that are included in those positions. So, when you say all these positions are empty, there's turnover •• expectations that some of those positions will not be filled during the year. In addition to that ••

**LEG. ALDEN:**

You want me to hold off and wait until after ••

**MR. ZWIRN:**

Let me just finish.

**LEG. ALDEN:**

No, I'm asking you. You want me to wait to respond to ••

**MR. ZWIRN:**

Yes.

**LEG. ALDEN:**

Point by point. Okay. Fine.

**MR. ZWIRN:**

If you would. In addition, by all accounts we're running a deficit this year. Anywhere from \$23 million that BRO has suggested to \$45 million which is the County Executive's Budget Office in the General Fund. Well, okay, we're running a deficit. So, where are you going to take money from to pay for this? This is a way that we thought that it could be done. The money is recurring. If you take money that's a one•shot, then, this will last for as long as that money runs. And then it's out. This will have an opportunity to be a recurring program because the 477 fund reoccurs. You know, I think it is a good way to go. It has the support of AME. And I think Cheryl Felice made an excellent presentation. And I would echo the remarks that she made.

And these are things that we're keeping in water quality, which was the purpose of 477. So, if we have a way where we can alleviate the stress on the General Fund, not have to raise taxes, and I know you've been concerned about it because you said you wanted a salary freeze and a hiring freeze. Now, these would be adding people to the General Fund that we didn't anticipate. And we're trying to keep the numbers down in the General Fund to try to cushion any deficit that we're going to face and not exacerbate it when you have readily available funds and put them into an area and they're willing to go and they're going to make a contribution to the well being and environment to this County, I think, you've really got a great idea and widespread support.

**LEG. ALDEN:**

May I respond? First off, and I'm not going to go there, as far as me advocating a salary freeze and a hiring freeze, that's an inaccurate statement. But I'm not going to get into that because that's for another day. Let's go back to preference as far as using the 477 account and some statements that you made before. You're claiming that there's a possibility, and you say the Budget Review and your Budget Office concur on this, there's a possibility of a deficit someplace in this year. There's also a possibility of a surplus. And I'm going to point out what happened

last year.

At some point in time the County Executive said that there was a \$280 million hole that was looming for Suffolk County. And that would have to translate directly into the raising of property taxes. Well, we're not done counting them yet. Yet. But it seems that there's more than a \$100 million surplus from last year's budget. So, that would mean a little bit of a shift from 280 to a hundred million to the plus side, that's a \$380 million •• unless my math is wrong •• that's a \$380 million change in direction from a negative to a positive.

Having said that, we also went out and told people in Suffolk County that we were taking their tax dollars away from them and we're putting it into an account to pay salaries. Now, I have to answer to the people. All of us have to answer to the people in Suffolk County as far as did we lie to the people, did we put that money aside as a slush fund to plug a future hole in the budget? Are we going to use it for salaries? Are we going to use it for something else that may be the people of Suffolk County didn't elect us to use it for? Or are we going to use it for salaries? And this is an ongoing problem as far as •• and I agree with AME. The early retirement killed them. A couple of people put money in their pocket to go out the door. It saved Suffolk County a few dollars apparently. But then when you start counting it and you start looking •• number one, it didn't save the County any money after you looked at it from •• a year later. It cost the County money to have an early retirement system in dollars. It also cost the County very heavily in morale. Because the people that were left behind, and I've had hundreds of phone calls in the past couple of years to my office, Cameron, we're here by ourselves. There used to be ten people in the office. Now there's one. And we're doing the job of the ten people. That's not fair.

So, then I get back to, when I go and vote for a budget and I see that we put money in the budget to pay people's salary, I don't think we're being fair, number one, to the taxpayer in Suffolk County and do something different with that money; hold it aside in case there's a hole that didn't materialize last year. So, in case there's a hole this year, we can't hire those people. And we're going to go into another fund where there's only a finite amount of money. And it really wasn't intended •• I know you made it and it's a valid point •• that it has been raided before for salaries, but that doesn't make it right because it was done before. And I don't think by depleting the future money in that account •• because there's a build up right now, so there's a little bit of a surplus in that account that won't reoccur. So, in that instance you were inaccurate in saying that, you know, it's recurring. Because all that money is not

going to recur. It's going to recur at a smaller amount than what's in there right now. So, going forward we have about six million, \$8 million that might come into that account.

A couple more resolutions like this, we don't have any money in that account. All we can do is pay salaries and we can't do any remediation, like I said before, of trying to save people's lives with the water protection end of it. So, I think really we have to look at this with a little bit more of an open mind. Instead of just closing down and focussing in on the 477, which is a finite amount of money that's supposed to go to saving people's lives, let's open our minds up a little bit to the possibility that we fill some of those jobs. And Cheryl testified before that there's three hundred jobs where they might be filled, they might not be filled; but they're sitting on the County Executive's desk. And we heard that testimony yesterday in the budget. We need to identify those jobs. Maybe some of these folks that are in here that are going to be displaced, maybe they qualify for those jobs. Maybe we could move them right over into those three hundred positions.

But I don't think it's fair to the taxpayers or the workers in Suffolk County to just narrow this down and say oh, the 477, it's easy money. We'll take it right out of there. I don't think it's fair to do that. I think we have to keep an open mind to using the money that we told Suffolk County residents that we're going to use for salaries and maybe save these people's jobs through that.

**MR. ZWIRN:**

Well, let me just say that when you characterize, you know, raiding the fund, I think that's •• I don't agree with those terms. I don't think raiding is •• that money has always been used for good purposes. I don't think it's ever been raided in the sense that somebody's tried to steal that money for some purpose for which it wasn't intended.

**LEG. ALDEN:**

I didn't say steal. I didn't say steal.

**MR. ZWIRN:**

You said raided. And I characterize •• when I hear raided, that's the characterization.

**LEG. ALDEN:**

Good. And you know what, Ben? Because we're going to get into •• a little later we're going to get into •• about connotations and about things that people say and put in things. And I'm glad you're raising that because I have a couple of things later about •• about connotations on terminology. Good.

**MR. ZWIRN:**

I look forward to it. When you talk about finite amount of money in a fund, the General Fund has a finite amount of money as well. I mean, if you want to raise taxes, then you can expand the revenue coming in. But when you say the County had a surplus at the end of the year, that was a lot of hard work on the part of the County Executive and the Legislature. I mean, the painstaking •• the efforts that this Legislature went with the County Executive back in March of last year with a budget tax reduction plan, was remarkable of working together. It was an excellence bipartisan effort. And it paid off at the end of the year. Yes, we had more sales tax revenue than was anticipated which was a lucky thing. But the cost cutting and the savings were real. And they made a tremendous difference in the way the County stands today than it would have if those measures had not been taken.

**LEG. ALDEN:**

Ben, what is the payroll account for, then? Is that to protect us against shortfalls in other parts of the budget? Or is that for payroll? That's a philosophical question maybe, but it's a specific question, too. We have a payroll account. What's it for?

**MR. ZWIRN:**

To cushion other parts of the budget. You have a payroll account ••

**LEG. ALDEN:**

No. You said it before. That that money might have to go for ••

**MR. ZWIRN:**

Right.

**LEG. ALDEN:**

•• shortfalls in other parts of the budget. The payroll account, though, to my recollection, you know, going back to the old days in accounting and stuff like that and business law ••

**MR. ZWIRN:**

If there's money there, then, it's used for payroll. If it's not, you •• but you can run a deficit in the payroll account as well. You're doing it in the Labor Department right now because the funding's been cut.

**LEG. ALDEN:**

Let me ask you a question. Budget Review, how much money is left in the payroll account?

**MR. REINHEIMER:**

Based on the last bi•weekly salary or bi•weekly payroll, there's about \$15 million in surplus appropriations in the General Fund.

**LEG. ALDEN:**

\$15 million in the payroll account? All right.

**MR. REINHEIMER:**

That's not ••

**LEG. ALDEN:**

No, I'm just ••

**MR. ZWIRN:**

But that's on paper.

**LEG. ALDEN:**

Just in case •• it's the paper that the budget was printed on. That's the paper it's on.

**MR. ZWIRN:**

Right. And revenue has to come in. What happens if your sales tax revenue comes in much less?

**LEG. ALDEN:**

What happens if it comes in much more?

**MR. ZWIRN:**

I mean, you're talking about •• you know, the budget is a terrific •• it's a living document as well. But if your revenues don't come in, then, what do you do?

**LEG. ALDEN:**

Okay. But here's my balancing act. And I'll tell you what my problem is, Ben. Here's my balancing act. I'll tell you what my problem is.

**MR. ZWIRN:**

You're guaranteed the revenues that you project in the budget are going to be the revenues that you're going to realize.

**LEG. ALDEN:**

Here's what my problem is. We developed a budget last year. And we said here's X number of jobs that should be filled in Suffolk County. And that's for the County residents, but it's also for the people that work for us. Because we should show utmost respect for them. Now, we haven't used that money. And we're not going to use that money in case we have a budget shortfall. So, last year we had to leave positions unfilled in case we had a budget shortfall. But guess what we found out? Guess what we found out? That there was not a budget shortfall. There was a budget surplus of over 100 million dollars.

**MR. ZWIRN:**

In part because those people weren't hired.

**LEG. ALDEN:**

In part because the people weren't hired. Right, Ben.

**MR. ZWIRN:**

You saved that money.

**LEG. ALDEN:**

Right. But you can't use a payroll account to go and plug other parts of the budget and be honest about it. We want to save these people's jobs. If that's what the honest bottom line is to save these folks' jobs, then, we should use payroll account money or even look at it. How

can you turn a blind eye to the fact that the money's there? It's supposed to be used for payroll.

**MR. ZWIRN:**

You're saying that if we •• it's okay •• we either lay these people off or raise taxes to pay for these jobs. That's the solution that you're proposing.

**LEG. ALDEN:**

Well, no. Actually, Ben, then, you haven't been listening at all.

**MR. ZWIRN:**

No, I have been listening.

**LEG. ALDEN:**

My proposition is ••

**MR. ZWIRN:**

Take it out of the General Fund.

**LEG. ALDEN:**

No, no, no, Ben.

**MR. ZWIRN:**

So, if the General Fund money isn't there, then to raise taxes or to lay these people off so you don't have the expense.

**LEG. ALDEN:**

I'm sorry. You're missing the point. Let me go back and do it over again; okay? There's over \$15 million in the payroll account. That's a projection of a surplus to the end of the year. Okay? I'm proposing to use some of that money to avoid these people from getting thrown out. Okay, Ben? That's a payroll account surplus. It's pretty simple, actually. And I'm sorry you're not getting it.



**MR. ZWIRN:**

It's not that simple. It's just not that simple. I mean, you're saying if \$15 million •• you don't know where you're going to be at the end of the year. You don't know what the hiring practice is, what the needs are for the County.

**LEG. ALDEN:**

But I know where those folks are going to be at the end of the year if we follow your •• really, we can throw them out.

**VICE•CHAIRPERSON NOWICK:**

Could I just interrupt?

**LEG. ALDEN:**

We don't do that.

**MR. ZWIRN:**

Yeah. That's an outrageous thing to say ••

**VICE•CHAIRPERSON NOWICK:**

Hold on.

**MR. ZWIRN:**

•• when we're here working with Legislators trying to come up with a solution to save their jobs. And you •• we're still waiting to hear something from you.

**LEG. ALDEN:**

And where's your solution?

**VICE•CHAIRPERSON NOWICK:**

I'm going to interrupt and just cut this off and maybe you want to get on the telephone and do this together. We have unfortunately, and you both have good arguments, we do have people here waiting. I know Legislator Lindsay had a quick comment to make and •• or did you decide against that?

**LEG. LINDSAY:**

No. I still want to make a comment.

**VICE•CHAIRPERSON NOWICK:**

Okay.

**LEG. LINDSAY:**

And if Legislator Alden and Mr. Zwirn get on the telephone, they have the liberty of hanging up on each other.

**MR. ZWIRN:**

I would never hang up on Legislator Alden.

**VICE•CHAIRPERSON NOWICK:**

Legislator Lindsay.

**LEG. LINDSAY:**

Just a couple of comments in the middle of this debate. And first of all, yeah, we have vacant positions in the budget that I think a lot of us think some of them should be filled because there's a dire need in some of our departments. I think it would be irresponsible, though, on the Executive's part to go out and fill all those positions because we want to establish a stable work force. We don't want to be hiring people and lay them off the next year. And somewhere in the middle there should be a happy medium.

As far as the policy of not using 477 money for permanent salaries, I just disagree with that. I think •• I wholeheartedly agree with the criteria that it has to be connected to an environmental reason or water quality reason. But to say that we can only use this money to hire outside contract agencies, I just think is wrong. I think if we have County employees that can do this work as well as a contract agency, that we should do that rather than continue to contract out.

**LEG. ALDEN:**

Through the Chair.

**VICE•CHAIRPERSON NOWICK:**

Yes.

**LEG. ALDEN:**

Mr. Lindsay, you're not saying that I said that, are you?

**LEG. LINDSAY:**

That's what I said.

**LEG. ALDEN:**

Right.

**VICE•CHAIRPERSON NOWICK:**

Okay.

**LEG. ALDEN:**

Okay. We shouldn't go and hire outside agencies or contract out.

**VICE•CHAIRPERSON NOWICK:**

Okay.

**LEG. LINDSAY:**

I don't want you to get sensitive with me.

**LEG. ALDEN:**

No, no, I'm not.

**LEG. LINDSAY:**

All I'm simply saying is in my mind, I don't think 477 money should be restricted to just contract agencies. If the purpose is appropriate, I think we could use County employees to do that water ••

**LEG. ALDEN:**

Absolutely. Okay. Thanks.

**VICE•CHAIRPERSON NOWICK:**

Okay. **We're going to take 1185, amending the 2005 Operating Budget to take proactive steps necessary to mitigate the trickle down effect of federal reductions.** Do I have a motion?

**MS. CAPUTI:**

Legislator Nowick? Before you •• may I just add one comment? I had put in a card that I wanted to speak from the County Attorney's Office. I just wanted to tell you that the County Attorney has opined on this issue, the request to the Labor Department. And she did issue an opinion to Mr. Dow saying that was a permissible use of the funds. I'd like to just introduce that for the record so that you have a full record before you take any action.

**VICE•CHAIRPERSON NOWICK:**

Thank you.

**MR. ZWIRN:**

And it did go through the Committee and was approved.

**VICE•CHAIRPERSON NOWICK:**

Thank you. Do I have a motion?

**LEG. LINDSAY:**

Well, I'm very reluctant to make a motion because I don't have a second here.

**VICE•CHAIRPERSON NOWICK:**

I'll second it.

**LEG. LINDSAY:**

Okay. I'll make a motion.

**VICE•CHAIRPERSON NOWICK:**

I have a motion by ••

**LEG. ALDEN:**

On the motion.

**VICE•CHAIRPERSON NOWICK:**

I have a motion by Legislator Lindsay, a second by Legislator Carpenter. On the motion, Legislator Alden.

**LEG. ALDEN:**

Just to the County Attorney's Office that issued this opinion. That's not an exclusive opinion that the only way that these can be funded is through 477?

**MS. CAPUTI:**

That's correct.

**LEG. ALDEN:**

So, your opinion would be that an appropriate funding source would be a budgeted salary •• you have to go to the microphone.

**MS. CAPUTI:**

The opinion that I just submitted is solely limited to the permissibility of using 477 funds for the purposes that are before you right now.

**LEG. ALDEN:**

Okay. But it doesn't exclude ••

**MS. CAPUTI:**

No.

**LEG. ALDEN:**

Your opinion would not exclude the use of a legally budgeted item such as salaries ••

**MS. CAPUTI:**

No, it does not.

**LEG. ALDEN:**

•• for funding these positions also.

**MS. CAPUTI:**

Correct.

**VICE•CHAIRPERSON NOWICK:**

Okay. Motion by Legislator Lindsay, second by Legislator Carpenter. All in favor? 1185 is to approve.

**LEG. ALDEN:**

Abstain.

**VICE•CHAIRPERSON NOWICK:**

Okay. All in favor? Opposed? Abstentions? Legislator Alden.

**LEG. CARPENTER:**

Motion to table.

**VICE•CHAIRPERSON NOWICK:**

Motion to table by Legislator Carpenter, second by Legislator Lindsay. All in favor? Opposed? Abstentions? **1185 has been tabled. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1248, applying for a grant from New York State Department of Environmental Conservation for a Habitat (Access Stamp Funding Program grant for construction of a fishing pier at Smith Point County Park) I'll make a motion.**

**LEG. CARPENTER:**

Second.

**VICE•CHAIRPERSON NOWICK:**

Second by Legislator Carpenter. All in favor? Opposed? **1248 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1249, authorizing use of various Suffolk County Parks for Environmental Education**

**Programs.** Motion by Legislator Carpenter, second by Legislature Alden. All in favor?

**LEG. ALDEN:**

On the motion.

**VICE•CHAIRPERSON NOWICK:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

I'll direct this towards Counsel. Is there any language in here requiring the supplying of lists of peoples' names, addresses and phone numbers?

**MS. KNAPP:**

It is not. In 1248? I'm sorry. I thought we were doing 1248. My apologies.

**LEG. ALDEN:**

1249.

**MS. KNAPP:**

It is not in the resolution.

**LEG. ALDEN:**

Thank you.

**MS. KNAPP:**

In 1249.

**VICE•CHAIRPERSON NOWICK:**

Okay. Motion by Legislator •• who did I say •• Carpenter, second by Legislator Alden. All in favor? **1249 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**MS. KNAPP:**

It is not in 1250.

**VICE•CHAIRPERSON NOWICK:**

**1250, authorizing use of Blydenburgh County Park (for Habitat for Humanity of Suffolk for their Annual Housewalk Fundraiser.)** Motion by Legislator Lindsay, second by myself. All in favor? Opposed. **1250 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1251, authorizing use of Indian Island County Park by the Arthritis Foundation.**

**LEG. ALDEN:**

Same question.

**MS. KNAPP:**

It is not in 1251.

**VICE•CHAIRPERSON NOWICK:**

Okay. Motion by Legislator Alden, second by myself. **1251 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1252, authorizing use of Blydenburgh County Park by the Care Center (for its annual Walk for Life Fundraiser.)** Same question.

**MS. KNAPP:**

It is not in 1252.

**VICE•CHAIRPERSON NOWICK:**

Motion by Legislator Alden, second by myself. All in favor? **1252 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1260, authorizing Cultural Affairs agreements funding for 2005.** Do I have a motion? Motion by Legislator Lindsay, second by Legislator Carpenter. All in favor? Opposed? **1260 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1261, authorizing use of two baseball fields at Lake Ronkonkoma County Park.**



**LEG. ALDEN:**

Question to Counsel.

**VICE•CHAIRPERSON NOWICK:**

Question.

**MS. KNAPP:**

Is there a provision that requires names and addresses? Yes, there is.

**LEG. ALDEN:**

Could we have somebody from the County Executive's Office just explain why in this resolution there would be a requirement to supply the names, addresses and phone numbers of the authorized users? And how this differs from the last 30 something years worth of resolutions that don't require that?

**MR. ZWIRN:**

No, I don't know.

**LEG. ALDEN:**

Motion to table.

**VICE•CHAIRPERSON NOWICK:**

Motion to table by Legislator Alden, second by myself. All in favor? **1261 is tabled. (Vote: 4 •0•0•2. Legislators Schneiderman and Cooper not present.)**

**LEG. CARPENTER:**

On the motion.

**VICE•CHAIRPERSON NOWICK:**

On the motion.

**LEG. CARPENTER:**

I'm just looking at the resolution. And I would assume that the others that we approved were like a one•shot •• one time use. And these appear to be for a time of •• a term of five years

with an additional five years. So, it's almost like they have exclusive use of the field and would have to provide rosters and schedules. But I don't understand how effective a roster is going to be •• I mean, every time a kid drops out, would you get another roster? I mean, Commissioner, did you come up with this or ••

**COMMISSIONER FOLEY:**

Just on a point you made there, this is non•exclusive use of the fields by the way, specifically in the resolution. And I'm not aware of why the requirement for a roster is in there. It says one must be kept and available at our request. I don't anticipate requesting such a thing.

**LEG. CARPENTER:**

No, it's not our resolution. It's the County Exec's; right? Right. So, we can't amend it.

**LEG. ALDEN:**

On the motion? To follow•up on Legislator Carpenter's ••

**VICE•CHAIRPERSON NOWICK:**

On the motion, Legislator Alden.

**LEG. CARPENTER:**

I mean, I can understand •• can I just finish my time?

**LEG. ALDEN:**

Yeah, I'm sorry.

**LEG. CARPENTER:**

I could understand wanting a list of maybe the coaches and the administration of the league; so if there were any issues, that you would have someone to contact. But asking them to produce and make part of the public record a list of the names, addresses and phone numbers of the players seems to be a bit much.

**COMMISSIONER FOLEY:**

There's only one justification I can imagine. And I'm guessing here.

**LEG. CARPENTER:**

Insurance?

**COMMISSIONER FOLEY:**

And that is the liability insurance question. One could imagine somebody putting in a claim if they weren't on a roster. That may be a defense. I don't know. But that's the only legitimate reason I can anticipate.

**LEG. CARPENTER:**

But then again, it seems that maybe just names would be more appropriate if that were the reason for doing it.

**MR. ZWIRN:**

I don't know the reason. But I would ask the Committee, and I make this pledge to find out, if this can be discharged without recommendation? The only reason I say that is the baseball season is fast approaching. And I know the Little League teams out in the east end are really • I see Eric nodding his head back there •• he lives out in East Hampton •• which are desperate for fields. I know that Legislator Schneiderman worked hard on this with the Town Supervisor. And if we could just get it to the floor. And if I can't have an explanation or we can't do something by CN or amended •• I mean I don't know why it is, but I just hate to see us lose the time. That's all.

**VICE•CHAIRPERSON NOWICK:**

The amended deadline is Monday at five just so you know. And I would not be opposed to that. Is that okay with the Committee?

**LEG. ALDEN:**

I'd be opposed to it because there's no guarantee that they're going to change the language. I can't see a kid having to put their name on a roster and turn it in.

**MR. ZWIRN:**

Then you could vote against it on the floor.

**VICE•CHAIRPERSON NOWICK:**

Then we could vote against it. But the season is up and coming.

**MR. ZWIRN:**

Otherwise they won't have it 'til the end of May.

**LEG. ALDEN:**

No, no.

**MR. ZWIRN:**

We'll miss the season.

**LEG. ALDEN:**

No, that's not right; because you can always do an amended copy CN. You can bring it over, a Certificate of Necessity. We don't have to discharge it. We don't have to take any action. You can make the changes and we can approve it. And I'd love to approve it, but not where it's going to require all these kids to give their names, addresses and phone numbers. I think that's bizarre in the very least. And why are we departing? Is this a new policy now in Suffolk County? So, there's a bunch of questions to be answered.

**MR. ZWIRN:**

Yeah. I don't think the County has let the fields out to the •• this was a •• at least in East Hampton I know this was requested in the last couple of years. This is the first time, I think, it's going to happen because of the shortage of fields. And that's why •• I just don't want to see the kids get penalized.

**LEG. LINDSAY:**

Madam Chair, could I just shed some light on this?

**VICE•CHAIRPERSON NOWICK:**

Yes, Legislator Lindsay.

**LEG. LINDSAY:**

For many years I was involved in both youth and adult softball, baseball or whatever. It was a common occurrence with town fields. Towns didn't want non•town residents playing on their fields. But this is •• you know, our parks are County•wide. I can't imagine, you know,

someone coming in from Nassau and I don't •• from the Parks' perspective, who would keep track of •• I mean, you're talking about voluminous information of every kid that plays in a league.

**MR. ZWIRN:**

I think •• Legislator Lindsay, I think •• why I'm not •• this may have been asked for by the towns. That's why •• because I know in the Town of East Hampton they have a terrible problem because they have more athletic fields than, say, the people who live in the neighboring town. So, we're getting a lot of use on our town fields. So, there's talk even in the town of having a residency card so when they reserve •• so it may have come from the towns. I'm not saying it did. I don't know.

**LEG. ALDEN:**

Through the Chairwoman?

**VICE-CHAIRPERSON NOWICK:**

Legislator Alden.

**LEG. LINDSAY:**

Before I renege, though, I mean, could you check, Ben, to see if this provision could be removed?

**MR. ZWIRN:**

Yes.

**LEG. LINDSAY:**

And if it was removed, would •• Legislator Alden, would you have a problem with it?

**LEG. ALDEN:**

No, I have no problem at all with it.

**LEG. LINDSAY:**

Okay.

**LEG. ALDEN:**

But I'm going to express one other problem that I have, though. And just with the statement you said, the towns can't control this. This is Suffolk County property. So, the towns have no control. So, even if it's a valid concern for them that they don't want residents of other towns using their town fields, it's not valid when it's within their borders and it's Suffolk County parkland. But the only thing I could see here is that, you know, somebody's going to send out a letter to these people. Somebody •• and I don't know who that would be, whether it would be the Commissioner or somebody from the Executive would want to have these names, addresses and phone numbers so they can contact them for some purpose, which might not be a permissible purpose. It might be for some ulterior motive or something. So ••

**VICE•CHAIRPERSON NOWICK:**

I have a motion to table by Legislator Alden. Is there a second? Was there a second?

**LEG. ALDEN:**

I didn't make a motion to table.

**VICE•CHAIRPERSON NOWICK:**

Okay, no motion to table. Okay. Do I have a motion?

**LEG. CARPENTER:**

I would second so it doesn't ••

**VICE•CHAIRPERSON NOWICK:**

All right. Motion to table by myself, second by Legislator Carpenter. All in favor? Opposed?  
**1261 is tabled.** But see if we can get that back. **(Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present)**

**LEG. LINDSAY:**

Yeah, see if we can get it by CN corrected.

**VICE•CHAIRPERSON NOWICK:**

And I have to apologize. Can I take 1337 out of order because Dr. Daniel Moran is here and has been sitting very patiently.

**LEG. CARPENTER:**

I make that motion.

**VICE•CHAIRPERSON NOWICK:**

Motion by Legislator Carpenter, second by myself. All in favor? Opposed? 1337 is taken out of order. **1337, designating Poet Laureate for Suffolk County, Dr. Daniel Moran.** I make a motion to approve. Second by Legislator ••

**LEG. CARPENTER:**

I'll second that and just ask if Dr. Moran would like to come forward and introduced himself at least ••

**VICE•CHAIRPERSON NOWICK:**

Yes.

**LEG. ALDEN:**

•• since he's been here all this time.

**MR. ZWIRN:**

He probably doesn't want to come up now.

**LEG. LINDSAY:**

Commissioner, don't disappear.

**DR. MORAN:**

The wait is okay. I'm just glad I'm not being tabled.

**VICE•CHAIRPERSON NOWICK:**

Yes.

**DR. MORAN:**

Anyway, Madam Vice•Chair Nowick and members of the Committee, just a very short statement. I'm very pleased and proud to have been nominated for the position of Suffolk

County Poet Laureate for the coming two years. I have lived in Suffolk County for 26 years and have a Bachelor's degree from the State University of New York at Stony Brook. I've worked for more than 20 years not only as a poet but as a promoter and educator on behalf of the poetry and the poets of Suffolk County. And I look forward to the opportunity to serve the people •• excuse me •• the people of the County in this capacity.

I think it's a wonderful thing that the Legislature has done and an important matter for any community to honor and recognize the artists among us. In Suffolk County resides some of the most important artists and writers in America. And clearly America's most influential artist and writer Walt Whitman was born here. So, I thank you and congratulate your efforts. And you have my word that I will do my very best to bring honor to this position, which I believe speaks to our highest aspirations as a community and as a County. Thank you for hearing me.

**VICE•CHAIRPERSON NOWICK:**

Thank you so much for serving. And thank you so much for your patience in sitting through and watching government in action.

**DR. MORAN:**

I'm also a dentist. So, patients (sic) is very, very important. Thank you.

**LEG. ALDEN:**

On the motion.

**VICE•CHAIRPERSON NOWICK:**

On the motion.

**LEG. ALDEN:**

There's no other competing candidates; right? Or ••

**VICE•CHAIRPERSON NOWICK:**

No.



**LEG. ALDEN:**

Now, this is Vivian's program?

**LEG. CARPENTER:**

It's a County program we approved.

**LEG. ALDEN:**

Right. No, but I mean she was the original sponsor?

**VICE-CHAIRPERSON NOWICK:**

Sponsor. But we approved it.

**LEG. ALDEN:**

Just a point of interest. I think that the last two or three, right, were her nominees, too? How many have we had?

**DR. MORAN:**

One preceded myself. And there was a selection committee that made the selection of George Wallace as the first one. And I was the selection of the committee; the second one to be presented to you good folks.

**LEG. ALDEN:**

What did you have to do? Like show your, like, some of your poetry and stuff like that?

**DR. MORAN:**

Well, that was part of it. Part of it is that I have a lot of credentials as a poet. But I'm also the Vice President of the Walt Whitman Birthplace Association. And I've been on the board there for seven years. And I also was the art correspondent for Long Island public radio for a number of years and hosted an arts program. And I've run many programs on the east end and around Suffolk County for poets and school children, etcetera.

**LEG. ALDEN:**

But then you mentioned before that your profession is inflicting pain on people? Is that what it is?

**DR. MORAN:**

And relieving it.

**LEG. ALDEN:**

Good point.

**DR. MORAN:**

Okay.

**VICE•CHAIRPERSON NOWICK:**

Thank you very, very much. **(Approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

Okay. **1262 (authorizing use of baseball field at Raynor Beach County Park by St. Joseph CYO)** I'm going to make a motion to table because it's the same type of legislation as the last one. Second by Legislator Carpenter. All in favor? **(Tabled. Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1263 (authorizing use of camping activity fields at Cedar Point Park by East Hampton Little League)** Same motion, same second. All in favor? Opposed? **(Tabled. Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1296, authorizing use of Smith Point Park by Mastic Beach Ambulance Company for "Help Save us Program."** Do I have a motion?

**LEG. ALDEN:**

Same language?

**VICE•CHAIRPERSON NOWICK:**

No, it is not the same language. Motion by Legislator Alden, second by Legislator Carpenter. All in favor? Opposed? **1296 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**1311, accepting donation of two Global Electric Motor Cars for use by the Suffolk**

**County Parks Department.** Motion by Legislator Lindsay, second by Legislator Carpenter.

**LEG. ALDEN:**

On the motion?

**VICE•CHAIRPERSON NOWICK:**

All in favor?

**LEG. ALDEN:**

On the motion.

**VICE•CHAIRPERSON NOWICK:**

On the motion.

**LEG. ALDEN:**

Just I have a couple of concerns. And I'm going to vote for this. But liability and whether they're going to supply the mechanics and all the other support services that we're going to need for this type of a unique program that's really untouched and unproven technology. But I'm going to vote for it. Are they going to pay us the liability insurance and ••

**COMMISSIONER FOLEY:**

No. It's going to be covered the same way all our other vehicles are. They're essentially golf carts. And we're capable of maintaining those as it is now.

**LEG. ALDEN:**

But how about maintenance and stuff like that?

**COMMISSIONER FOLEY:**

Just like we maintain other equipment. Put new batteries in them and plug them in. That's ••

**LEG. ALDEN:**

All right. It seems to me like unproven technology that we really should go slow on this kind of thing.

**COMMISSIONER FOLEY:**

These things have been around in public park use ••

**LEG. ALDEN:**

To be consistent, anyway.

**COMMISSIONER FOLEY:**

•• for many years. State Parks has 25 or 30 of them. We thought it was a good thing to reduce fuel use and get in the same program. Maintenance is not a big issue.

**LEG. CARPENTER:**

Are those the white ••

**COMMISSIONER FOLEY:**

Yeah. It's a large golf cart with a roof on it.

**VICE•CHAIRPERSON NOWICK:**

You know what? We'll just let Legislator Alden drive around the golf course and see how it feels.

**LEG. ALDEN:**

I'm serving the people. I have no time for that kind of thing. Maybe the 19th Legislator might have time for that.

**VICE•CHAIRPERSON NOWICK:**

We have a motion, a second. All in favor? Opposed? **1311 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**Sense Resolution 21•05, memorializing resolution in support of assembly bill number A03731 requiring the registration of all terrain vehicles.**

Do I have a motion.

**LEG. ALDEN:**

Motion.

**VICE•CHAIRPERSON NOWICK:**

Motion by Legislator Alden, second by myself. All in favor? Opposed? **Sense 21•05 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

**Sense 22•05, memorializing resolution in support of assembly bill number A04137 which establishes an ATV Trail Development, Maintenance and Enforcement Fund.**

Motion to approve by Legislator Alden, second by Legislator Carpenter. All in favor? Opposed. **022•05 is approved. (Vote: 4•0•0•2. Legislators Schneiderman and Cooper not present.)**

Motion to adjourn?

**LEG. CARPENTER:**

I have some questions for the Commissioner. I understand that there was a meeting that was held at, I guess, with you and the trap and skeet people.

**COMMISSIONER FOLEY:**

Not yet.

**LEG. CARPENTER:**

Oh, it's coming up?

**COMMISSIONER FOLEY:**

It's scheduled for tomorrow.

**LEG. CARPENTER:**

All right. So, if you could let me know how that goes, I'd appreciate that.

**COMMISSIONER FOLEY:**

All right.

**LEG. LINDSAY:**

My question is about what's the story about Southaven Equestrian Center being closed?

**LEG. CARPENTER:**

Exactly.

**COMMISSIONER FOLEY:**

Yeah. Southaven Equestrian Center, we're no more happy about the outcome of that process than the people you heard from today or that I'm sure you are. The building is in a terrible state of repair for a number of reasons. It's not just a 12•year old building. It's a building that was brought in 12 years ago as a used reconstructed on the site. And maintenance has not been a high priority obviously. DPW analyzed the building and estimated it would cost between 660,000 and a million dollars to put it back in reasonably usable condition. The Fire Marshal has expressed concerns many times with the building. We went out for an RFP hoping to come up with a mix of private investment and County investment that would put it back in shape.

After reviewing all the proposals, I didn't see the combination of financial strength and experience that I thought was needed to make a dilapidated facility come back into shape and run properly. We will not be closing the trails. We don't consider this closing of the barn to be permanent. We need to figure out what we •• what needs to be done there to get it back in shape. The people who spoke are correct. There's a diminishing number of facilities available, especially indoor arenas. And we think it's a legitimate form of recreation that we need to provide facilities for.

**LEG. LINDSAY:**

Is there any way that we could keep the barns open, that the horses could remain there and close the arena while we look for more funding sources or some way that •• because if you close the barn and the horses aren't boarded there anymore, you know, for all practical applications, we've closed the trails. Because it would mean that someone would have to truck a horse into the facility.

**(APPLAUSE)**

**COMMISSIONER FOLEY:**

At this time all of the boarders have found other arrangements. There are no borders there right now.

**LEG. LINDSAY:**

I know but ••

**COMMISSIONER FOLEY:**

There were three last week. And I •• the latest information I have is they have found •• made new arrangements. There is not a safe way to keep that building functioning. You can roll the dice and keep it functioning, but the current operator has pretty much thrown up her hands. Didn't put in a proposal to continue and doesn't want to continue. Although she did a pretty good job while she was there.

**LEG. LINDSAY:**

Okay. But here's my point. I think we need a little time to see if we can save this program.

**(APPLAUSE)**

**LEG. LINDSAY:**

And if we take all the horses out of there, there's no way for a person to come in. And I can understand that, you know, the Fire Marshal and everybody thinks that the building is in such bad shape that it isn't fit for, you know •• there could be a liability problem as far as human habitation. But if we could just keep the horses there. Can we figure out some way of doing that?

**COMMISSIONER FOLEY:**

But they mostly found other places to go.

**LEG. LINDSAY:**

Yeah, I know but if •• that doesn't make a difference. If they found other places to go, if we don't have trail horses that people can rent ••

**COMMISSIONER FOLEY:**

They weren't providing trail rides there anyway. They couldn't get insurance to provide trail rides.

**THE AUDIENCE:**

I have insurance. That's not true.

**COMMISSIONER FOLEY:**

The operator who is there now could not find insurance to provide hack trail rides. That was one of the problems with this business. We had another stable's operator who just walked away. The expense of running the Sears Bellows Stables was too great for her. She couldn't make any money. We got an RFP for that. We had two proposals for that. One came in without the required security. The other one came in four hours late. We had to reject both of those. But we re•advertised that for proposals because the facility isn't in such bad shape as this one.

**LEG. LINDSAY:**

So, what is the game plan here? What are we going to do with this? Are we going to just abandon ••

**COMMISSIONER FOLEY:**

No. As I said, we don't regard this closure as permanent. And when you use the word "we", that's really what it is. I'm going to have to come back to you and say what priority among all the things we have do is this thing? That's going to cost half a million to a million dollars to get back in shape. Hoping that we can get some level of private investment and indicated financial strength to back it up to go forward with something for the equestrian community that they deserve.

**LEG. LINDSAY:**

You know what my trepidation is with this, it's almost we're going down the same path as we did with the rifle range a couple years ago. We were only going to close that temporarily because of a vendor problem. And now it's going on four or five years. And we're still arguing over the same, you know, on how to reopen it. It's just that it seems when we walk through that door of closing the facility, it makes it twice as difficult to reopen it again.

**COMMISSIONER FOLEY:**

I don't disagree with that. I can't put a time frame on what I would estimate would be the re



•opening of it. But it's our intention to get something back in there to serve this interest.

**LEG. LINDSAY:**

And there's no way that we can extend what we have there for a short period of time? I mean, we're coming into a capital budget period that, you know, would be the appropriate time for us to look for funding to rebuild this facility.

**COMMISSIONER FOLEY:**

There is no legal way to do it. We've rejected the proposals. So, that process is done. We don't have an agreement to go beyond March 31st so unless the parks system ••

**LEG. LINDSAY:**

Is the current vendor there? Would they be willing to extend their agreement for a month to month basis or something like that?

**COMMISSIONER FOLEY:**

We can ask her. I don't know. My impression is it would be not likely but I'll ask.

**LEG. LINDSAY:**

Would the Department be willing to go along with that type of arrangement?

**COMMISSIONER FOLEY:**

We'll check and see. You know, I'm not going to force the issue on her, but we'll check with her and see.

**LEG. LINDSAY:**

My colleagues on the Committee, ladies, would you be in agreement with that?

**LEG. CARPENTER:**

Absolutely.

**COMMISSIONER FOLEY:**

All right.

**LEG. LINDSAY:**

I mean, I'm not a horse person. I haven't rode a horse since I got thrown off one 30 years ago. But I am certainly sympathetic to the equestrian community, you know. That's why we're here. Commissioner Foley, we'd really appreciate it if you could look into that. All right?

**COMMISSIONER FOLEY:**

We'll check with her. And I need to talk to DPW again. If they genuinely say it's not a safe place to operate, we're not going to do that.

**LEG. LINDSAY:**

And, again, I can agree with the indoor arena because of, you know, the people inside there. But if we can just figure out a way of keeping the horses there on a month to month basis until we can look at what we can do for this facility.

**COMMISSIONER FOLEY:**

And these are not boarded horses you're talking about. You're talking about trail riding horses, which she can't provide anyway because she's not been able to get trail ride insurance. So, I am not sure what we're trying to achieve here. The boarders have mostly left. There may be a few left there. Maybe some would come back. That takes care of individual horse owners who board at the location. But trail rides she's not been able to provide due to lack of insurance. So, I'm not ••

**VICE•CHAIRPERSON NOWICK:**

We have another meeting going on here. So, if your questions are answered, are you okay with that, Legislator Lindsay?

**LEG. LINDSAY:**

Not really. I don't know what else to say. I hate to see this facility close.

**VICE•CHAIRPERSON NOWICK:**

Okay. This meeting has been adjourned. Thank you.

**(THE MEETING CONCLUDED AT 1:12 PM)**

**\\_DENOTES SPELLED PHONETICALLY\\_**